

# UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
P.O. BOX 1450, ALEXANDRIA, VA 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

THOMAS A. O'ROURKE  
WYATT, GERBER, & O'ROURKE  
99 PARK AVENUE  
NEW YORK, NY 10016

Mail Date: 04/25/05  
Application Number: 10/091115

## NOTICE TO PAY BALANCE OF ISSUE FEE

The issue fee payment filed on 11/10/04 has been received. Although the fee specified in the Notice of Allowance was received, new patent fees went into effect on October 1, 2004, after the mailing date of the Notice. See the final rule, *Revision of Patent Fees for Fiscal Year 2005, Final Rule*, 69 Fed. Reg. 52604 (August 27, 2004). As stated in the final rule, "Any fee amount that is paid on or after the effective date of the fee adjustment will be subject to the new fees then in effect." The Notice of Allowance (Form PTOL-85) that was mailed prior to October 1, 2004, stated an issue fee amount that was in effect prior to October 1, 2004. However, in as much as the issue fee was paid on or after October 1, 2004, the new issue fee amount was due instead of the amount specified in the Notice of Allowance.

In accordance with 37 CFR 1.317, applicant is given a time period of **THREE (3) MONTHS** from the mailing date of this notice during which to pay the **BALANCE DUE** indicated below. The balance due is the difference between the issue fee required on the date that the correct issue fee is paid and the amount that was previously paid. Applicants should check the current fee schedule posted on the USPTO internet web site at: <http://www.uspto.gov/main/howtofees.htm> before paying the balance due in order to ensure that the correct fee is paid. This three-month time period may not be extended. If the balance due is not paid before the expiration of the three-month period, the application will become abandoned (if not issued) or the patent will lapse (if issued) at the termination of the three-month period.

TYPE OF ISSUE FEE PAID	Column A ISSUE FEE IN EFFECT AS OF OCTOBER 1, 2004 large entity / small entity	Column B ISSUE FEE PAID	BALANCE DUE <sup>1</sup> [Col. A minus Col. B]
UTILITY	\$1,370.00 / \$685.00	\$ 1330.00	\$ 40.00
DESIGN	\$490.00 / \$245.00	\$	\$
PLANT	\$660.00 / \$330.00	\$	\$

Adjustment date: 05/10/2005 GWORDDF2  
11/16/2004 MHEKONE1 00000018 10091115  
02 FC:1506 -1330.00 OP  
05/10/2005 GWORDDF2 00000041 10091115  
01 FC:1506 1370.00 OP

Krystal Paige, Patent Publications

Fax: 703-746-4642

**A copy of this notice MUST be returned with payment.**

### CERTIFICATE OF MAILING

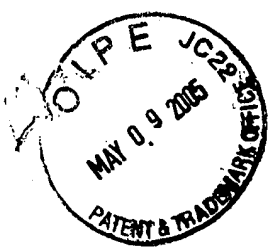
I hereby certify that this notice and the required additional fee are being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

Printed Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

<sup>1</sup> Applicants should check the current fee schedule posted on the USPTO internet web site at: <http://www.uspto.gov/main/howtofees.htm> before paying the balance due in order to ensure that the correct issue fee is paid.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Matthew Dunn  
SERIAL NO.: 10/091,115  
FILED: 03/05/2002  
FOR: Heat Exchanger

Mail Stop ISSUE FEE  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

RESPONSE TO NOTICE TO PAY BALANCE OF ISSUE FEE

In response to the "Notice to Pay Balance of Issue Fee" mailed April 25, 2005,  
enclosed is the balance due of \$40.00.

Respectfully submitted,

Thomas A. O'Rourke  
Reg. No.: 27,665  
BODNER & O'ROURKE, LLP  
425 Broadhollow Road, Ste. 108  
Melville, NY 11747  
(631)249-7500

CERTIFICATE OF MAILING

I hereby certify that the attached Response to Notice to Pay Balance of Issue Fee is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to MAIL STOP ISSUE FEE, Commissioner of Patents and Trademarks, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below.

Date of Deposit: May 3, 2005

Print Name: Thomas A. O'Rourke

Signature: